



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAR 2 2012

OFFICE OF  
AIR AND RADIATION

Mr. Samuel I. Gutter  
Mr. Timothy K. Webster  
Counsel for Cummins Incorporated  
Sidley Austin LLP  
1501 K Street, NW  
Washington, D.C. 20005

Dear Mr. Gutter and Mr. Webster:

The U.S. Environmental Protection Agency received your letter to Administrator Jackson dated February 15, 2012, in which you request an Agency stay of the *Interim Final Rule; Nonconformance Penalties for On-Highway Heavy Heavy-Duty Diesel Engines*.

Your request noted that you are aware that several other manufacturers have also requested a stay and that you will treat your "petition as denied should the EPA deny any of those other requests." Therefore we are informing you that the EPA has denied the other requests. Our responses to these requests are enclosed. Since you have already indicated that you will treat these denials as a denial of your request, we do not plan to send you a more detailed response to your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Margo T. Oge", is positioned above the printed name of the signatory.

Margo Tsirigotis Oge, Director  
Office of Transportation and Air Quality

Enclosures